

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAMAR BROOKS,

Plaintiff,

vs.

ARRIZOLA, et al.,

Defendants.

1:20-cv-00476-GSA-PC

**ORDER DENYING MOTION FOR COURT
TO CONDUCT INVESTIGATION
(ECF No. 27.)**

Lamar Brooks (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. On January 28, 2022, Plaintiff filed an emergency motion for the court to conduct an investigation into an incident that occurred on January 23, 2022. (ECF No. 27.)

The court has no authority to order an investigation. Blackwell v. Tsui, No. 221CV2207KJMACP, 2022 WL 222065, at *1 (E.D. Cal. Jan. 25, 2022). Furthermore, Plaintiff’s *in forma pauperis* status does not authorize the expenditure of public funds for investigators. See 28 U.S.C. § 1915; see also Hadsell v. Internal Revenue Service, 107 F.3d 750, 752 (9th Cir. 1997); Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993); Brown v. Johnson & Johnson, Inc., Case No. 1:17-cv-01285-AWI-EPG, 2018 WL 5734531, *2–3 (E.D. Cal. Oct. 31,

1 2018) (holding that “the Court is without authority to appoint an investigator or researcher to
2 assist Plaintiff.”).

3 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s motion for the court to
4 conduct an investigation, filed on January 28, 2022, is denied.

5 IT IS SO ORDERED.
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7 Dated: February 2, 2022

8 /s/ Gary S. Austin
9 UNITED STATES MAGISTRATE JUDGE
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